

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : ATTENTION APPLICATIONS BRANCH  
Habib FATHALLAH, et al. :  
Serial No.: 10/529,229 : International Application No.: PCT/CA03/01460  
Filed: March 25, 2005 : International Appl. Filing Date: September 24, 2003  
For: ENHANCED OPTICAL FAST FREQUENCY HOPPING-CDMA BY MEANS OF OVER  
SPREADING AND INTERLEAVING

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371

**MAIL STOP MISSING PARTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirements dated August 25, 2005, submitted herewith are the following:


1. Declaration and Power of Attorney.
2. Late Filing fee/Declaration Surcharge in the amount of \$65.00
3. Return copy of the Notification of Missing Requirements.
4. Verified Statement (Declaration) Claiming Small Entity Status.

Please charge Deposit Account No. 50-2036 in the amount of \$65.00. However, please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 50-2036 and please credit any excess fees to such deposit account.

09/22/2005 ATRANI 00000132 502036 10529229  
01 FC:2617 65.00 DA

Respectfully submitted,

BAKER & HOSTETLER LLP

  
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Registration No. 32,902

Date: 9-14-05  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/529,229	Habib Fathallah	87367.2700

INTERNATIONAL APPLICATION NO.
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PCT/CA03/01460

I.A. FILING DATE	PRIORITY DATE
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09/24/2003

09/25/2002

Baker & Hostettler  
 Washington Square, Suite 1100  
 1050 Connecticut Avenue, N.W.  
 Washington, DC 20036

**CONFIRMATION NO. 2140**  
**371 FORMALITIES LETTER**  
**\*OC000000016829670\***  
 \*OC000000016829670\*

Date Mailed: 08/25/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 03/25/2005
- Copy of the International Search Report filed on 03/25/2005
- Request for Immediate Examination filed on 03/25/2005
- U.S. Basic National Fees filed on 03/25/2005
- Priority Documents filed on 03/25/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/529,229	PCT/CA03/01460	87367.2700